The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

Report.

Of Legislative Committee upon Districts

The Legislative Committee recommend that the Territory be divided into four Districts, as follows.

1st District to be called the Twality District comprising all the country south of the northern boundary line of the United States, west of the Willamette or Multnomah river, north of the Yamhill river and east of the Pacific Ocean

2d District to be called the Yamhill District embracing all the country west of the Willamette or Multnomah river and a supposed line running north and south from said river; south of the Yamhill river to the parallel of 42° north latitude or the boundary line of the United States and California, and east of the Pacific Ocean.

3d District to be called the Clackamas District comprehending all the territory not included in the other three Districts.

4th District to be called the Champooick District and bounded on the south by a supposed line drawn from the mouth of the Anchiyoke river running due east to the Rocky Mountains West by the Willamette or Multnomah river and a supposed line running due south from said

Report.

Of ~~Districting~~ Legislative Committee.

Upon Districts

{As adopted}

The ~~Legislative~~ Committee recommend that the Territory be divided into four Districts. as follows.

River to the Parallel of 42° north Latitude.
South by the boundary line of the United States
and California, and East by the Summit of
the Rocky Mountains.

The Legislative Committee also recommend
that the above Districts be designated as
Oregon Territory

Approved by the People July 5th 1843

Report.

Of Legislative Committee upon Ways and Means

~~Not adopted~~

The Legislative committee report that a sub-
scription paper as follows be sent in circulation, to
collect funds for defraying the expenses of the Government.

We the Subscribers pledge ourselves to pay annually
to the Treasurer of Oregon Territory, the sums
affixed to our respective names for the purpose
of defraying the expenses of Government. Provided —
that in all cases, each individual subscriber may ~~with~~
at any time, withdraw his name from said Subscrip-
tion, upon paying up all arrearages, and notifying
the Treasurer of the Colony, of such desire to withdraw

Approved by the People July 5th 1843

Report

Of Legislative Committee upon the Judiciary

~~Be adopted~~

The Legislative Committee recommend that the following Laws {upon Judiciary} be adopted

Sec 1st. We the People of Oregon Territory, for purposes of mutual protection and to secure peace and prosperity among ourselves, agree to adopt the following Laws and Regulations until such time as the United States of America extend their Jurisdiction over us.

Be it therefore enacted by the free citizens of Oregon Territory, that the said Territory for purposes of temporary government, be divided into not less than three nor more than five Districts, subject to be extended to a greater number when an increase of population shall require it.

For the purpose of fixing the principles of civil and religious liberty as the basis of all Laws and Constitutions of Government that may hereafter be adopted,

Be it enacted, That the following Articles be considered as Articles of Compact among the free citizens of this Territory

Article 1st. No person demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship, or religious sentiments

Article 2d. The inhabitants of said Territory shall always be entitled to the benefits of the writ of Habeas Corpus, and trial by Jury — of a proportionate

representation of the People in the Legislature — and of Judicial proceedings according to the course of common law. All persons shall be bailable, unless for capital offences where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishments inflicted. No man shall be deprived of his liberty but by the judgement of his Peers, or the law of the land — and should the public exigencies make it necessary, for the common preservation, to take any persons property, or to demand his particular services, full compensation shall be made for the same. And in the just preservation of rights and property, it is understood and declared that no law ought ever to be made or have force in said Territory, that shall in any manner whatever interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed

Article 3d. Religion, Morality and knowledge being necessary to good government and the happiness of mankind, Schools and the means of education shall forever be encouraged.

The utmost good faith shall always be observed towards the Indians. Their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they shall never be invaded or disturbed, unless in just and lawful wars authorized by the representatives of the people; but laws founded in justice and humanity, shall from time to time, be made for preventing injuries being done to them, and for preserving peace and friendship with them.

Article 4th. There shall be neither Slavery nor involuntary servitude in said Territory, otherwise than for the punishment of crimes whereof the party shall have been duly convicted.

Section 2d

Article 1st. Be it enacted by the authority aforesaid — That the Officers elected on the 2d of May inst. shall continue in office until the 2d Tuesday in May 1844, and until others are elected and qualified

Article 2d. Be it further enacted — that an election of civil and military Officers, shall be held annually on the 2d Tuesday in May, in the several Districts at such places as shall be designated by law

Article 3d. Each officer heretofore elected or hereafter to be elected, shall, before entering upon the duties of his office, take an oath or affirmation, to support the laws of the Territory, and faithfully to discharge the duties of his office.

Article 4th. Every free male descendant of a white man an inhabitant of this Territory, of the age of twenty one years and upwards, who shall have been an inhabitant of this Territory at the time of its organization, shall be entitled to vote at the election of Officers, civil and military, and be eligible to any office in the Territory — Provided — That all persons of the description entitled to vote by the provisions of this section, who shall have emigrated to this Territory after organization, shall be entitled to the rights of citizens, after having resided six -

months in the Territory

Article 5th. The Executive power shall be vested in a Committee of three persons, elected by the qualified voters at the annual election — who shall have power to grant pardons and reprieves for offences against the laws of the Territory, to call out the military force of the Territory to repel invasion or suppress insurrection, to take care that the laws are faithfully executed, and to recommend such laws as they may deem Consider necessary, to the representatives of the people, for their action. Two members of the Committee shall constitute a quorum to transact business

Article 6th. The legislative power shall be vested in a committee of nine persons who shall be elected by the qualified electors at the annual election, giving each District a representation in ratio of population, excluding Indians; and the said members of the committee shall reside in the District for which they shall be chosen

~~Article 7th The Judicial Power shall be vested in a Supreme court consisting of a Supreme Judge and two Justices of the Peace, a Probate Court, and in Justices of the Peace. The Jurisdiction of the Supreme Court shall be both appellate and original. That of the Probate court and Justices of the Peace, as limited by law — Provided — That individual Justices of the Peace shall not have jurisdiction of any matter of controversy, when the title or boundary of land may be in dispute, or where the sum claimed, exceed fifty Dollars.~~

Article 5th. There shall be a Recorder elected by the qualified electors at the annual election who shall keep a faithful record of the proceedings in the Legislative Committee, Supreme, and Probate Courts; also, record all boundaries of land presented for that purpose, and all Marks and Brands used for marking live Stock; procure and keep the Standard weights and measures required by law, seal weights and measures and keep a record of the same, and also record wills and deeds and other instruments of writing required by law to be recorded.

The Recorder shall receive the following fees, viz; for recording wills, deeds, and other instruments of writing, twelve cents for every hundred words, and the same price for copies of the same; for every weight or measure sealed, twenty five cents; for granting other official Papers and the seal twenty five cents; for serving as Clerk of the Legislative Committee, the same daily pay, as the Members of the Legislature; and for all other services required of him by this act, the same fees as are allowed for similar services by the laws of Iowa

Article 6th. There shall be a Treasurer elected by the qualified Electors of the Territory, who shall before entering upon the duties of his office, give bond to the Executive Committee, in the sum of fifteen hundred dollars, viz^d, two or more sufficient securities, to be approved by the Executive Committee, conditioned for the faithful discharge of the duties of his office. The Treasurer shall receive all monies belonging to the Territory, that may be raised by contribution, or

otherwise, and shall procure suitable books in which he shall enter an account of his receipts and disbursements.

Article 10th. The Treasurer shall in no case pay money out of the treasury but according to law, and shall annually report to the Legislative Committee, a true account of his receipts and disbursements, with necessary vouchers for the same, and shall deliver to his Successor in office, all books money, ~~papers~~ accounts or other property, belonging to the Territory, so soon as his Successor shall become qualified.

Article 11th. The Treasurer shall receive for his services the sum of 5 per cent of all monies received and paid out according to law, and 3 per cent of all monies in the treasury when he goes out of office, and 2 per cent upon the disbursement of money in the treasury, when he comes into office

Article 12th. The laws of Iowa Territory, shall be the law of this Territory, in civil, military and criminal cases; where not otherwise provided for, and where no Statute of Iowa Territory applies, the principles of Common law and Equity shall govern.

Article 13th The law of Iowa Territory, regulating weights and measures, shall be the law of this Territory — Provided — that the Supreme Court shall perform the duties of the County Commissioners,

and the Recorder shall perform the duties of the Clerk of the County Commissioners as prescribed in said laws of Iowa — And provided — that Sixty lbs, avoirdupoise weight, shall be the Mind and weight of a bushel of Wheat, whether the same be more or less than 2,150 2/5 cubic inches

Article 14th. The laws of Iowa Territory, respecting Wills and administrations shall be the law of this Territory, in all cases not otherwise provided for.

Article 15th. The law of Iowa, respecting Vagrants, is hereby adopted as far as adapted to the circumstances of the citizens of Oregon.

Article 16th. The Supreme Court shall hold two Sessions annually, upon the 3d Tuesdays in April and September; the first Session to be held at Champoick, on the 3d Tuesday of September 1843, and the 2d Session, at Twality Plains, on the 3d Tuesday of April 1844. At the Sessions of the Supreme Court, the Supreme Judge shall preside assisted by two Justices — Provided — that no Justice shall assist in trying any case that has been brought before the Court, by appeal from his Judgement. The Supreme Court shall have original Jurisdiction in cases of treason, felony, or breach of the peace, and in civil cases, where the sum claimed, Exceeds fifty dollars.

Article 17th All male persons of the age of Sixteen years and upwards, and all females of the age

of fourteen and upwards, shall have right of engaging in marriage — Provided — that where either of the parties shall be under the age of twenty-one, the consent of the parents or guardians of such minors shall be necessary to the validity of such matrimonial engagement. Every ordained Minister of the gospel of any Religious denomination, the Supreme Judge and all Justices of the Peace, are hereby authorized to solemnize marriage according to law, to have the same recorded and pay the Recorders fee.

All marriages shall be recorded by the Territorial Recorder, within one month from the time of such marriage taking place, and being made known to him officially. The legal fee for marriage, shall be one dollar, and for recording the same, fifty cents.

Article 18th. All offices subsequently made, shall be filled by election and ballot in the several Districts in the most central and convenient place in each district upon the day appointed by law, and under such regulations as the laws of Iowa provide

Article 19th Resolved — That a Committee of three be appointed to draw up a digest of the doings of the People of this Territory, with regard to an organization, and transmit the same to the United States Government for their information.

Resolved — That the following sections of the laws of Iowa as laid down in

"The Statute Laws of the Territory of Iowa Enacted at the first session of the Legislative Assembly of said Territory, Held at Burlington,

A.D. 1838-9 — Published by Authority — In Burgue Bissel and Reeves, Printers 1839. Certified to be a correct copy by Wm. B. Conway, Secretary of Iowa Territory. —

be adopted as the laws of this Territory, viz;

The Law of	Attachment,	Page	52	to	64
" "	Bonds	"	70	"	
" "	Constables	"	71	"	73
" "	Construction of Statutes	"	73	"	75
" "	Costs and Fees	"	76	"	89
" "	Criminal Offences	"	109	"	125
" "	Courts of Probate	"	126	"	127
" "	Depositions	"	172	"	177
" "	Executions	"	197	"	205
" "	Forcible entry & detainer	"	217	"	220
" "	Gaming	"	221	"	224
" "	Indians - Sale of liquor to	"	274	"	
" "	Jurors	"	277	"	281
" "	Justices of the Peace	"	281	"	321
" "	Militia	"	329	"	337
" "	Minors, Orphans, & Guardians		347	"	350
" "	Mills and Millers	"	343	"	346
" "	Mesne and Injunctions		350	"	353
" "	Partition	"	354	"	364
" "	Practice of the Courts	"	370	"	381
" "	Promissory Notes	"	381	"	385
" "	Public Administrators	"	385	"	388
" "	Public Lands	"	388		
" "	Recorder	"	396	"	397
" "	Replevin	"	398	"	400
" "	Right	"	419	"	426

Law of	Seals	Page	435	
" "	Securities	"	439	to 440
" "	Sheriffs	"	441	" 447
" "	Territorial Treasurer	"	452	"
" "	Vagrants	"	455	" 456
" "	Venue, change of	"	457	" 460
" "	Waste	"	460	" 462
" "	Water Crafts; Lost Goods & Estrays	"	462	" 470
" "	Weights & Measures	"	470	
" "	Wills & Administrations	"	471	" 513
" "	Worshipping Congregations	"	513	" 514

Approved by the People July 5th 1843.

~~A true Copy from Original Record.~~

~~Attest: C. W. Carpenter — Recorder.~~